

R E C E I V E D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MAR 16 2018

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

ELIYAHU WEINSTEIN,

Petitioner,

v.

UNITED STATES,

Respondents.

HONORABLE ANNE E. THOMPSON

Civil Action
No. 18-0894 (AET)

MEMORANDUM OPINION

THOMPSON, U.S. District Judge:

Before the Court is Petitioner Eliyahu Weinstein's request to vacate the order of dismissal. (ECF No. 26).

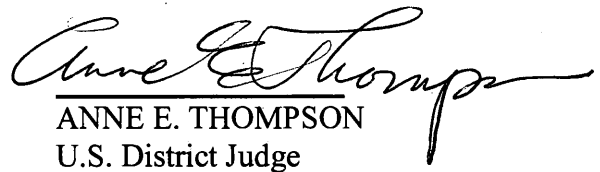
1. Petitioner argues "dismissal may constitute a 'significant penalty' due to the strict statute of limitations for § 2255 petitions." The Court tolled the statute of limitations for 30 days by virtue of its order permitting Petitioner to refile his motions within that time.

2. Petitioner may file an amended brief in this action challenging one judgment and file a new action with an appropriate motion to consolidate.

3. The Court will not require the resubmission of exhibits so long as a new, comprehensive index of exhibits setting forth their location and title is filed along with the brief.

4. An appropriate order follows.

3/16/18
Date


ANNE E. THOMPSON
U.S. District Judge